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July 31, 2002

BOX: NON-FEE AMENDMENT  
Commissioner for Patents  
Washington, D.C. 20231

Re: Inventors Andrew D. Ellington, Michael P. Robertson, Kristen A. Marshall  
Patent Application Entitled: ALLOSTERICALLY REGULATED RIBOZYMES  
Application Serial No.: 09/661,658  
Filing Date: September 14, 2000  
Our File No.: 119927-1021

Dear Sir:

In regard to the above-referenced mater, we have enclosed the following documents:

1. Preliminary Amendment (2 pages);
2. Marked-up Copy for Preliminary Amendment (1 page); and
3. Postcard.

In addition, Applicants submit herewith a copy of the Response to Examiner's Office Action that has been filed under separate cover to Box: Sequence, Commissioner for Patents, Washington, D.C. 20231.

Please file the above-referenced documents and return the date-stamped postcard to our office at the above address. It is believed that no additional fees are due. If this is incorrect, the Commissioner is hereby authorized to charge any fees due which may be required by this paper to Deposit Account No. 07-0153.

In the meantime, if you have any questions or comments concerning any of the above, please call the undersigned at your convenience. Otherwise, please accept the enclosed.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP

Edwin S. Flores  
Registration No. 38,453

Enclosures  
ESF:MAV:eaz



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Andrew D. Ellington, Michael P. Robertson, Kristen A. Marshall

Serial Number: 09/661,658

Filing Date: September 14, 2000

Group Art Unit: 1635

Examiner: Epps, Janet L.

Title: ALLOSTERICALLY REGULATED RIBOZYMES

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## Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, Washington, D.C. 20231 on July 31, 2002.

*Anne Ziegler*  
Signature

Anne Ziegler  
Typed or printed name of person signing certificate

## BOX: NON-FEE AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to examination of the above-identified Application on the merits, please amend the Application as follows:

DETAILED DESCRIPTION OF THE INVENTION

On page 21, delete the sentence that begins on line 18 and ends on line 20 of the above-

captioned Specification and insert the following:

--"Figure 1 depicts the secondary structure of the td intron from bacteriophage T4

(GenBank # M12742), wherein "td" means theophylline-dependent (SEQ ID NO: 7)."

REMARKS

In the Specification, please delete the sentence that extends from line 18 to line 20 and insert the replacement sentence as referenced above. A marked-up version of the replacement sentence is also attached in accordance with C.F.R. § 1.821.

This Amendment does not increase the number of claims. If, however, our calculations are in error and a fee is due, please charge this fee to Deposit Account No. 07-0153. Please feel free to telephone the undersigned at the phone number listed below if there are any questions or suggested amendments to the claims.

Dated this July 31, 2002.

Respectfully submitted,

GARDERE WYNNE SEWELL LLP



Edwin S. Flores

Registration No.: 38,453

ATTORNEY FOR APPLICANT

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In re Application of: Andrew D. Ellington, Michael P. Robertson, Kristen A. Marshall  
Serial Number: 09/661,658  
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Examiner: Epps, Janet L.  
Title: ALLOSTERICALLY REGULATED RIBOZYMES

**MARKED-UP COPY FOR PRELIMINARY AMENDMENT**  
**IN ACCORDANCE WITH C.F.R. § 1.121**

Page 21, lines 18 to line 20

[AMENDED] Figure 1 depicts the secondary structure of the td intron from bacteriophage T4 (GenBank # M12742), wherein "td" means theophylline-dependent (SEQ ID NO: 7).